

**ORDINANCE NO. 02003-12**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING CHAPTER 154 OF THE YUMA CITY CODE, AS AMENDED, REZONING CERTAIN PROPERTY HEREINBEFORE LOCATED IN THE AGRICULTURE (AG) DISTRICT TO THE LIMITED COMMERCIAL (B-1) DISTRICT AND AMENDING THE ZONING MAP TO CONFORM THERETO**

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on January 13, 2003 in Zoning Case No: Z2002-017, in the manner prescribed by law, for the purpose of rezoning the parcel of property hereinafter described in the Limited Commercial (B-1) District as provided for in Chapter 154 of the City of Yuma Code; and,

WHEREAS, due and proper notice of such public hearing was given in the time, form, substance and manner as provided by law, including publication of such notice in the Yuma Sun on December 27, 2002; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission regarding Case No: Z2002-017 and finds that the recommendation complies with and conforms to the goals and objectives of the Yuma General Plan, as amended.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1. That the following described property, to wit:

“That part of the Southwest Quarter of the Southeast Quarter (SW ¼ SE ¼ ) of section 5, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, more particularly described as follows:

Beginning at the Southwest corner of the Southwest Quarter (SE ¼) of Section 5; thence North 0° 25' 30" West along the West line of said Southeast Quarter (SE ¼), a distance of 600 feet to the center line of B canal; thence South 89°35'30" East along the center line of said canal 660 feet; thence South 0°25'30" East a distance of 660 feet to the South line of the Southeast Quarter of said section 5; thence North 89°35'30" West along said South line of Section 5 to the point of beginning.

EXCEPT the West 207 feet thereof; and  
EXCEPT the East 26 feet thereof.”

Containing 6.469 acres, more or less.

be placed in the Limited Commercial (B-1) District as defined by Chapter 154 of the Yuma City Code, as amended; that said property upon this Ordinance becoming final, be subject to all rules, regulations and requirements of Chapter 154 of the Yuma City Code, as amended, pertaining to the Limited Commercial (B-1) District, and that the zoning map adopted under Chapter 154 of the Yuma City Code, as amended, be hereby ordered to be changed and amended so as to show that said property described in this Ordinance will be located within the District herein provided.

SECTION 2. That the following conditions must be met and/or completed in order for the zoning amendment to be final:

1. A one-foot (1') non-access easement shall be provided over the entire 32<sup>nd</sup> Street frontage with the exception of any access approved by the Department of Community Development.
2. A Traffic Impact Analysis (traffic study) shall be conducted in accordance with City of Yuma Construction Standard No. 2-100 and the latest edition of the ADOT Traffic Impact Analysis for the proposed development. All suggested improvements outlined by the Traffic Impact Analysis shall be constructed by the applicant.
3. A raised median covenant shall be recorded on the property that acknowledges that medians are anticipated to be constructed within 32<sup>nd</sup> Street adjacent to the property, which may limit left turning movements into and out of the site.
4. The applicant/developer shall make a contribution for the traffic signal at the intersection of Avenue 5 ½ E and 32<sup>nd</sup> Street in the amount of \$1,020, which is equivalent to \$200.00 per acre.
5. The south half of the 'B' Canal, approximately forty-six feet (46'), along the north property line shall be dedicated to the City of Yuma, by plat or by warranty deed, to facilitate the future development of the linear park.
6. One hundred foot (100') half width roadway easement for 32<sup>nd</sup> Street shall be converted into fee title right-of-way dedicated to the City of Yuma.


Each of the conditions listed above shall be completed within three (3) years of the effective date of the rezoning ordinance or as provided for in a development agreement. In the event the conditions are not completed within this time frame, the applicable rezoning shall be null and void.

Passed and adopted this 19th day of March, 2003.

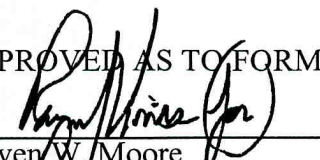
APPROVED:

  
Lawrence K. Nelson  
Mayor

ATTESTED:

  
Brigitta K. Stanz  
City Clerk

APPROVED AS TO FORM:

  
Steven W. Moore  
City Attorney